

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN**

IN RE:	)	
DENNIS KOBACK, and	)	Case No. 17-23474-svk
SUSAN KOBACK	)	
	)	CHAPTER 13
DEBTORS	)	

**NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN**

NOTICE IS HEREBY GIVEN THAT:

The Debtors have filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, **then on or before 21 days after service of the notice**, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plan statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court  
517 East Wisconsin Ave.  
Room 126  
Milwaukee, WI 53202

If you mail your request to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

You must also mail a copy to:

Bankruptcy Law Office of Richard A. Check  
757 N. Broadway, Ste. 401  
Milwaukee, WI 53202

If you or your attorney does not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the plan.

Prepared By:  
Attorney Richard A. Check, Esq.  
757 N. Broadway, Suite 401  
Milwaukee, WI 53202  
Phone: 414-223-0000  
Fax: 414-223-3245  
rickchecklaw@aol.com

## **REQUEST TO MODIFY CHAPTER 13 PLAN**

1. The Proponent of this modification is:

  X   the Debtors;

       the Chapter 13 Trustee (post-confirmation modifications only);

       the holder of an unsecured claim

2. This is a request to modify a Chapter 13 Plan (Select A. or B.):

A.        post-confirmation;

B.   X   pre-confirmation (Select i. or ii.);

i.        Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b)); or

ii.   X   Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local

Bankruptcy Rule 3015(b)). The creditors affected are: \*see attached list

3. The Proponent wishes to modify the Chapter 13 Plan to do the following:

\*Debtors wish to adjust the dividend paid to timely filed general unsecured claims through the plan

\*Debtors wish to clarify Chapter 13 plan payment frequency and which payroll the payments should be deducted from

4. The reason(s) for the modification is/are:

\*Debtors' original plan failed to provide for the proper dividend to unsecured creditors and failed to specify which payroll the Chapter 13 plan payments were to be deducted

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court@richardachek.com

5. Select A. or B.

A. \_\_\_\_ The Chapter 13 Plan confirmed or last modified on \_\_\_\_\_ is modified as follows: N/A

B. X The unconfirmed Chapter 13 Plan filed April 17<sup>th</sup>, 2017 is modified as follows:

**\*Debtors shall pay \$265 bi-weekly to the Trustee by periodic payroll deductions from Debtor's payroll at The City of Milwaukee, 200 E. Wells Street, Milwaukee, WI 53202 for the remainder of the plan**

**\*Debtors estimate that the total of general unsecured debt is \$16,664. After all other classes have been paid, Trustee will pay to the creditors with allowed general unsecured claim a pro rata share of not less than \$16,664 or 100%, whichever is greater**

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

**6. BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS**

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Attorney Richard A. Check, Esq.  
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Milwaukee, WI 53202  
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Fax: 414-223-3245  
court@richardacheck.com

**CERTIFICATION**

I, Attorney Richard A. Check, attorney for Debtors, certify that I have reviewed the modification proposed above with the Debtor(s), and that the Debtor(s) has/have authorized me to file it with the court.

S://\_\_\_\_\_  
Attorney Richard A. Check

6/15/2017\_\_\_\_\_  
Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated June 15<sup>th</sup>, 2017 in Milwaukee, WI 53202

Signature: S://\_\_\_\_\_  
Richard A. Check  
#10122-04  
Attorney for Debtor(s)

Prepared By:  
Attorney Richard A. Check, Esq.  
757 N. Broadway, Suite 401  
Milwaukee, WI 53202  
Phone: 414-223-0000  
Fax: 414-223-3245  
court@richardacheck.com

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this Notice and Request to Modify Chapter 13 plan were mailed First Class to persons mentioned below, at their respective addresses, postage prepaid, by U.S. Mail in Milwaukee, WI on June 15<sup>th</sup>, 2017.

Dennis & Susan Koback  
3345 S 71<sup>st</sup> St  
Milwaukee, WI 53219

\*See attached Creditor Matrix

Additionally, the documents referenced above were also served via electronic means on the following individuals on June 15<sup>th</sup>, 2017:

United States Trustee Eastern District of WI 517 E Wisconsin Ave, Rm 430 Milwaukee, WI 53202	Rebecca Garcia Chapter 13 Trustee P.O. Box 3170 Oshkosh, WI 54903-3170
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Date: 6/15/2017

S://

Samuel Check  
Paralegal for Attorney Richard A. Check

Prepared By:  
Attorney Richard A. Check, Esq.  
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Milwaukee, WI 53202  
Phone: 414-223-0000  
Fax: 414-223-3245  
court@richardachek.com

Label Matrix for local noticing  
0757-2  
Case 17-23474-svk  
Eastern District of Wisconsin  
Milwaukee  
Thu Jun 15 17:34:09 CDT 2017  
Alliance Collection Agencies  
PO Box 1267  
Marshfield, WI 54449-7267

The Bank of New York Mellon Trust Company, N  
c/o Gray & Associates, L.L.P.  
16345 W Glendale Dr.  
New Berlin, WI 53151-2841

Alliance Collection Ag  
3916 S Business Park Ave  
Marshfield, WI 54449-9029

(p)AMERICOLLECT INC  
PO BOX 2080  
MANITOWOC WI 54221-2080

CHILDREN'S HOSPITAL OF WISCONSIN, INC  
C/O BRUCK LAW OFFICES, S.C.  
322 E. MICHIGAN AVE, 6TH FLOOR  
MILWAUKEE, WI 53202-5012

Cnvrgrt Hthcr  
121 NE Jefferson Ave Ste  
Peoria, IL 61602-1256

Convergent Healthcare  
121 NE Jefferson Ave Ste  
Peoria, IL 61602-1229

Convergent Healthcare Recovery  
121 NE Jefferson Ave Ste 100  
Peoria, IL 61602-1229

Edfinancial Services L  
120 N Seven Oaks Dr  
Knoxville, TN 37922-2359

Edfinancial Services, LLC  
298 N Seven Oaks Dr  
Knoxville, TN 37922-2369

Falls Collection Svc, Inc  
N114W19225 Clinton Dr  
Germantown, WI 53022-3015

Fincntrl Svc  
PO Box 668  
Germantown, WI 53022-0668

OAC  
Attn: Bankruptcy  
PO Box 500  
Baraboo, WI 53913-0500

Oac  
PO Box 500  
Baraboo, WI 53913-0500

Ocwen Loan Servicing L  
1661 Worthington Rd  
West Palm Beach, FL 33409-6493

Ocwen Loan Servicing, LLC  
Attn: Research/Bankruptcy  
1661 Worthington Rd Ste 100  
West Palm Beach, FL 33409-6493

Office of the U. S. Trustee  
517 East Wisconsin Ave.  
Room 430  
Milwaukee, WI 53202-4510

OneMain Financial  
PO Box 3251  
Evansville, IN 47731-3251

Onemain  
PO Box 1010  
Evansville, IN 47706-1010

Oshkosh Collection  
PO Box 160  
Oshkosh, WI 54903-0160

Oshkosh Collection & R  
913 Oregon St  
Oshkosh, WI 54902-6454

Professional Placement Services, LLC  
PO Box 612  
Milwaukee, WI 53201-0612

Professional Placement  
272 N 12th St  
Milwaukee, WI 53233-2604

State Collection Servi  
2509 S Stoughton Rd  
Madison, WI 53716-3314

State Collection Service  
PO Box 6250  
Madison, WI 53716-0250

Wheaton Franciscan Healthcare  
801 S. 60th Street  
West Allis, WI 53214-3365

Wi Electric  
Wi Energies  
PO Box 2046  
Milwaukee, WI 53201-2046

Wisconsin Electric Pow  
231 W Michigan St # A130  
Milwaukee, WI 53203-2918

Dennis P Koback  
3345 S 71st St  
Milwaukee, WI 53219-3902

Rebecca R. Garcia  
Chapter 13 Trustee  
PO Box 3170  
Oshkosh, WI 54903-3170

Richard A. Check  
Bankruptcy Law Office of Richard A. Chec  
757 North Broadway  
Suite 401  
Milwaukee, WI 53202-3612

Susan M Koback  
3345 S 71st St  
Milwaukee, WI 53219-3902

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Americollect Inc  
PO Box 1566  
Manitowoc, WI 54221-1566

End of Label Matrix	
Mailable recipients	32
Bypassed recipients	0
Total	32